

Annual Report

2018



Law Society
of Ontario

Barreau
de l'Ontario



Annual Report 2018

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OUR MANDATE

The Law Society of Ontario (Law Society) governs the legal professions in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet high standards of learning, competence and professional conduct.

In fulfilling its regulatory mandate, the Law Society observes principles that encompass a duty to protect the public interest, to maintain and advance the cause of justice and the rule of law, to facilitate access to justice for the people of Ontario, and to act in a timely, open and efficient manner.

STRATEGIC PRIORITIES FOR 2015-2019

Following the election of a new board (known as Convocation) in 2015, the Law Society developed a strategic plan with five key priorities:

- 1** Lead as a professional regulator
- 2** Prioritize life-long competence for lawyers and paralegals
- 3** Enhance access to justice across Ontario
- 4** Engage stakeholders and the public with responsive communications
- 5** Increase organizational effectiveness

Over the past four years, we have pursued these five priorities by undertaking a number of key initiatives that support them and have made great progress in advancing these goals.

You can read about our most recent accomplishments – what we have done and why it is important – in the strategic initiatives section of this report.



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AT A GLANCE

2,400 lawyers and
900 paralegals
licensed in 2018

Membership:
53,700
lawyers and
9,000
paralegals

36,000
lawyers
practising law and
3,600
paralegals providing
legal services

4,200
complaints referred
to Professional
Regulation Division

47%
of complaints in Professional
Regulation were about
service issues

132
Discipline
Notices
issued



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MESSAGE FROM THE TREASURER

Making a difference, in the public interest

The Law Society plays an important role as the regulator of the legal professions in protecting the public interest, upholding the rule of law and the cause of justice and facilitating access to justice. We carry out this mandate while navigating the evolving legal landscape and working with justice system stakeholders. The work of the Law Society and legal professions benefits our communities, makes an important difference to the people we serve and contributes to the greater public good.

In 2018, we completed a number of key priorities set out in the 2015-2019 strategic plan. These achievements advance our public interest mandate while laying the groundwork for our next strategic plan, which will be established under the direction of our newly elected board.

Significantly, in 2018, we reached a conclusion on the way forward in lawyer licensing, following a comprehensive two-year review. Competence is an integral part of our mandate and it is essential that we continue to find ways to enhance it by now moving our focus from licensing requirements to post-call competence.

We also continued to collaborate with justice partners to address access to justice challenges. This included our work to assist people with legal and other needs by enabling lawyers and paralegals to provide legal services through registered civil society organizations – such as charities and not-for-profit agencies, to the clients of those entities. This is an innovative approach that we hope will help people who have traditionally faced barriers to receiving legal assistance.

At the Law Society, we recognize that First Nation, Inuit and Métis Peoples face unique challenges. This past year, we continued to work with our Equity and Indigenous Affairs Committee and the Indigenous Advisory Group to improve our services and enhance access. We adopted recommendations from the Review Panel to make the regulatory and hearing processes more culturally competent and safe for Indigenous Peoples. This is important work as we seek to foster deeper understanding and promote inclusion within, and access to, the legal system.

I'm proud of what we have accomplished in the last 12 months and look forward to focusing on both the opportunities and challenges that lie ahead – including those posed by new technologies. That is why we struck a new task force last summer to look at how to appropriately consider public protection and the potential for enhanced legal services that comes with new technologies. The task force has been engaging with experts, the professions and the public as we address potentially transformative innovation.

So, the road ahead is an exciting one and I extend my thanks to the benchers, our CEO Diana Miles and the Law Society management and staff for their hard work and dedication, ensuring that we continue together on a course that is principled, thoughtful and forward-looking. We have achieved what we set out to do with our 2015-2019 strategic plan. With newly elected benchers and new ideas, it is time to forge ahead again.

Malcolm M. Mercer
Treasurer





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MESSAGE FROM THE CEO

Achieving success through greater alignment

My first full year as CEO of the Law Society was exciting and challenging. While the Law Society continued to implement policies to achieve the board's strategic priorities, operationally we focused on building greater alignment across all our divisions.

To achieve this, the Senior Management Executive and I worked to improve cross-functional interactions and information exchange, and enhance clarity around our common objectives. I would like to highlight, in particular, the work of the Policy and Professional Regulation divisions, which both completed significant reorganizations over the last year.

In addition to the considerable progress made operationally in 2018, I am pleased to report that implementation of the strategic priorities set by our board for the 2015-2019 bench term are near completion.

In a culmination of our efforts to better engage stakeholders, we adopted a modern logo reflecting our new name, and rolled out the first stage of a public awareness campaign, Our Society is Your Society, to build recognition and understanding of the Law Society.

Another major undertaking was the ongoing operationalization of the Equality, Diversity and Inclusion initiative. This historic initiative involves

implementing 13 strategies aimed at breaking down the barriers faced by racialized licensees.

We also completed the Dialogue on Licensing, one of the Law Society's most ambitious consultative efforts, which led to the adoption of a series of recommendations to enhance the lawyer licensing process.

Implementation of these recommendations will be a major focus in the coming months, along with the ongoing development of the new family law licensing framework. A component of the Family Law Action Plan, the new licensing framework will help improve access to justice for Ontario's families by permitting appropriately licensed paralegals and others to provide certain family legal services.

The leadership of Treasurer Malcolm Mercer and our benchers has enabled the many accomplishments of the last year. I thank the board and my team at the Law Society for their dedication.

I look forward to working with our new board in developing strategic objectives for the next four years that will solidify our alignment efforts and better position the Law Society to serve the public and regulate and support our licensees.

Diana Miles
Chief Executive Officer





Strategic Initiatives

2018



STRATEGIC INITIATIVES

Advertising and Fee Arrangements Issues

WHY IT'S IMPORTANT:

The nature and volume of advertising for legal services is evolving rapidly, along with the legal services marketplace. The Law Society established the Advertising and Fee Arrangements Issues working group in February 2016 to determine whether by-law and rule amendments may help ensure advertising and fee practices continue to be accurate, transparent and in the public interest.

WHAT WE DID:

- In 2018, the Law Society worked closely with the provincial government to make changes to the *Solicitors Act* in regard to contingency fees, which were presented in the spring budget. The legislation has since received Royal Assent.
- The working group consulted on the Know Your Rights document and Standard Form Contingency Fee Agreement, working with consumer groups and plain language experts to make the document more user-friendly for the public. Work continues with the provincial government on the regulation changes necessary to implement these public protection measures.
- The working group examined and consulted on practices involving the payment of fees and offering of benefits by title insurers to real estate lawyers and whether additional regulatory measures involving these practices are required. Work on this issue continues.



STRATEGIC INITIATIVES

Coach and Advisor Network

WHY IT'S IMPORTANT:

The **Coach and Advisor Network** (CAN) provides lawyers and paralegals with access to short term, goal-oriented interactions with volunteer Coaches and Advisors drawn from the professions. Coaches support the implementation of best practices and Advisors assist with substantive and procedural law inquiries on client files. CAN is designed to be flexible, to adapt to the evolving and unique needs of the professions, and to complement the many existing mentorship programs in Ontario.

WHAT WE DID:

- In 2018, CAN's roster grew to almost 220 active volunteers, with an almost equal amount of Coaches and Advisors and about one third choosing to act as both.
- CAN arranged over 520 engagements.
- CAN continues to work with its new database designed to support better, stronger and faster matches.
- To improve accessibility and support, CAN is launching new multi-media training resources and a new Equality, Diversity and Inclusion workshop.



STRATEGIC INITIATIVES

Dialogue on Licensing

WHY IT'S IMPORTANT:

The Law Society decided to undertake a comprehensive analysis of the lawyer licensing process following its 2016 review of the **Pathways Pilot Project**, which included the Law Practice Program (LPP) pilot and enhancements to the Articling Program. The goal was to formulate long-term recommendations for an appropriate and sustainable licensing system for lawyers in Ontario.

WHAT WE DID:

- In December, the Law Society approved an option for lawyer licensing that retains and enhances the two current transitional pathways – articling and the LPP.
- The enhancements include:
 - Formalized requirement for paid articling and LPP work placements, with limited exceptions.
 - Measurement, audit and other forms of monitoring to provide greater oversight of articling and LPP work placements.
 - Mandatory education and training for articling principals and LPP work placement supervisors.
- The Law Society is also:
 - Reaching out to legal educational institutions to explore areas of collaboration in integrating more experiential learning into the law school experience.
 - Studying forms of skills-testing for use in the licensing process.



STRATEGIC INITIATIVES

Equality, Diversity and Inclusion

WHY IT'S IMPORTANT:

The Equality, Diversity and Inclusion (EDI) initiative addresses racism and discrimination in the professions by breaking down barriers at all career stages for racialized lawyers and paralegals. The initiative's **13 strategies** were approved in December 2016, following extensive consultation with the professions. Implementation continued in 2018.

WHAT WE DID:

- Lawyers and paralegals may voluntarily answer inclusion questions about their legal workplace in their 2018 Annual Report.
- Licensee representatives of legal workplaces of 10 or more licensees are to complete a self-assessment for their workplace through the 2018 Annual Report.
- Licensees continue to meet their EDI Continuing Professional Development (CPD) requirement. To support licensees, the Law Society offered accredited programs through CPD and the Equity Legal Education Series. Together, the Law Society offered over 24 EDI Hours.



STRATEGIC INITIATIVES

Family Law Action Plan

WHY IT'S IMPORTANT:

The implementation of the Family Law Action Plan is an important step toward greater access to justice for families across Ontario. The plan was developed in response to the 21 recommendations outlined in the **Family Legal Services Review** and in consideration of over 160 submissions received.

WHAT WE DID:

- The Law Society continues to develop a licence to permit appropriately licensed paralegals and others to assist the public with certain family legal services, to increase access to justice.
- The Law Society continues to support and promote the expanded use of unbundled legal services and legal coaching.



STRATEGIC INITIATIVES

Indigenous Initiatives

WHY IT'S IMPORTANT:

The Law Society recognizes that First Nation, Métis and Inuit Peoples may face unique access to justice challenges. As the broader movement of reconciliation between Canada and Indigenous Peoples takes shape, the Law Society is also working to build bridges and common understanding through engagement and dialogue. The Law Society is using what we learn to improve our services, as well as access to our services, by Indigenous communities.

WHAT WE DID:

- The Law Society continues to implement the Indigenous Framework with:
 - Training for senior staff and benchers relating to cultural competency and Indigenous Legal Systems.
 - Approval of the Guidelines for Lawyers Working with Indigenous Peoples.
 - The launch of the Indigenous law student mentoring and networking program.
- The Law Society released a **report** with recommendations to provide guidance on the way in which the Law Society and its Tribunal address regulatory matters involving Indigenous persons, complaints and issues.
- In partnership with the Indigenous Bar Association and The Advocates' Society, the Law Society developed and promoted the **Guide for Lawyers Working with Indigenous Peoples**.



STRATEGIC INITIATIVES

Legal Aid Working Group

WHY IT'S IMPORTANT:

Legal aid is a critical component of access to justice. The mandate of the Legal Aid Working Group (LAWG) is to identify opportunities to support and enhance the delivery of sustainable legal aid services, and to identify opportunities for engagement with Legal Aid Ontario. LAWG is the Law Society's commitment to ensure Ontario has a robust and strengthened legal aid system that will serve the people of Ontario well.

WHAT WE DID:

- The Law Society struck a subcommittee of the Access to Justice committee to implement the working group's **recommendations**, including supporting the Law Society's interest in:
 - Playing a role with legal stakeholders and Legal Aid Ontario to build stronger relationships and more open dialogue.
 - Holding public discussions on legal aid policy issues, involving a range of stakeholders, experts and sectors, to explore innovative approaches and to discuss and address concerns and improvements for the legal aid system.
 - Championing the need for robust legal aid and sharing the Law Society's insights and concerns with federal and provincial levels of government — as part of the Law Society's government relations activities.
 - Continuing to facilitate and support the work of the Alliance for Sustainable Legal Aid.
 - Encouraging the collection of data, including disaggregated demographic data, to ensure greater transparency in legal aid, and to promote more evidence-based research and policy development.



STRATEGIC INITIATIVES

Legal Services through Civil Society Organizations

WHY IT'S IMPORTANT:

A new regulatory framework permitting lawyers and paralegals to provide legal services through civil society organizations (CSOs) can enhance access to justice by assisting individuals who have traditionally faced barriers to receiving legal advice. Lawyers and paralegals employed by CSOs, such as charities and not-for-profit organizations, will be able to provide legal services directly to clients of the organization, creating new inclusive entry points for vulnerable people to find legal services.

WHAT WE DID:

- The Law Society approved a regulatory framework that includes:
 - Guidelines for potential civil society registrants.
 - A straightforward, convenient registration process, and civil society registrant annual filing requirements.
 - Amendments to the lawyer and paralegal conduct rules highlighting particular competency requirements and prohibiting licensees from charging the clients a fee, or accepting referral fees.
 - By-Law changes prescribing CSO registration and de-registration processes, fee prohibitions, and insurance requirements.



STRATEGIC INITIATIVES

New Website and Directory

WHY IT'S IMPORTANT:

Under the Corporate Services umbrella is a collection of business units, including Information Technology (IT) that offers a diverse range of services to both internal and external stakeholders and contributes to the effective operations of the Law Society. In 2018, IT led the redesign and launch of the new Law Society website with the goal of creating a more accessible, service-oriented and user-friendly experience, to better serve the public and licensees.

WHAT WE DID:

- The newly designed website (www.lso.ca) launched in September 2018 with the commitment to continue to enhance access to justice through numerous resources and services — and to provide services in French to the profession and members of the public.
- The website features a newly updated **Lawyer and Paralegal Directory**. In addition to including discipline history, practice restrictions, or trusteeships, the enhanced directory offers more search option topics, including areas of law/legal service, languages and provision of unbundled legal services.
- With a focus on providing better access to legal information, the website features **Steps to Justice**, a first-of-its-kind initiative that empowers people in Ontario to understand and take action to deal with their legal problems. Steps to Justice is a collaborative project led by Community Legal Education Ontario.



STRATEGIC INITIATIVES

Practice Management Helpline

WHY IT'S IMPORTANT:

In an increasingly complex and demanding legal environment, the service that supports legal practitioners in their efforts to comply with their professional obligations must be modern, responsive and agile. The **Practice Management Helpline** assists lawyers and paralegals with understanding the *Rules of Professional Conduct*, the *Paralegal Rules of Conduct*, select by-laws made under the *Law Society Act*, and other ethical, professionalism and practice management topics.

WHAT WE DID:

- In response to survey feedback, and in coordination with the Law Society's strategic priority to improve and increase practice supports, the following enhancements are being phased in:
 - Provide streamlined telephone access to the Helpline: introduce a triage process and enhanced voicemail function to allow calls to be prioritized based on level of urgency.
 - Explore digital platforms to modernize the Helpline: develop an online chat function or "Helpline app" that enables more direct access to the service, creates efficiencies, and improves overall functionality.
 - Broaden the scope of service provided by the Helpline: provide a more robust level of service to callers by guiding them towards more definitive answers to their inquiries, within the Helpline's mandate. This may include reference to relevant case law and legal principles.
 - Prioritize the proactive development of additional, innovative, practical resources: create resources to assist lawyers and paralegals in making decisions about their professional responsibilities that can be accessed in a self-service manner. Multi-media interfaces, interactive technology and micro-learning modules to support moment of need delivery will be explored.
 - Actively promote the Helpline: increase awareness of the Helpline service through active promotion via traditional marketing and social media platforms.



STRATEGIC INITIATIVES

Public Awareness Campaign

WHY IT'S IMPORTANT:

Research shows that many Ontarians do not know where to find information on legal issues or how to find a lawyer or paralegal. The public awareness campaign built awareness of the Law Society, as a regulator in the public interest, with resources that include legal information, the Lawyer and Paralegal Directory and the Law Society Referral Service.

WHAT WE DID:

- The campaign ran over a wide-range of media including radio, print, transit, billboards, elevator screens, digital (standard display, AdWords and YouTube) and social media (Facebook, LinkedIn and Twitter).
- The Law Society engaged communities across the province, including Toronto, North Bay, Thunder Bay, Kingston, Cornwall, Ottawa, Peterborough, Barrie, Mississauga, Hamilton, Oshawa, Kitchener, London, Sarnia, Windsor and more.
- To spread the message further, the campaign was translated into six diverse languages and reached out to 13 unique communities: Mandarin, Cantonese, Punjabi, Urdu, Tagalog, Caribbean, Spanish, Italian, South Asian, Portuguese, French, First Nations, LGBTQ2S.
- A post-campaign survey showed positive response to the campaign with a clear understanding that the Law Society is there to help members of the public.



STRATEGIC INITIATIVES

SPOT (Steps, Progress, Opportunities, Tactics) Team

WHY IT'S IMPORTANT:

Discrimination and harassment have no place in our professions. As the regulator of Ontario's legal professions, the Law Society has a central role to play in bringing about positive change. The SPOT Team was created in response to the reports of discrimination and harassment coming out of the Articling Experience Survey, a survey that looked at the experience of articling candidates.

WHAT WE DID:

- Guided by the SPOT Team, the Law Society has:
 - Strengthened the lawyer rules and paralegal guidelines regarding discrimination and harassment.
 - Enhanced awareness of the Discrimination and Harassment Counsel and Member Assistance Programs.
 - Developed materials for lawyer and paralegal candidates and principals to more overtly address the issue of harassment and discrimination in the professions.
 - Continued to provide relevant Continuing Professional Development programming.



STRATEGIC INITIATIVES

The Action Group on Access to Justice (TAG)

WHY IT'S IMPORTANT:

TAG was established by the Law Society in 2015 to facilitate better coordination and collaboration across the justice sector. TAG works with a range of justice stakeholders to develop meaningful, public-centred solutions that advance systemic change in addressing access to justice issues for people across Ontario.

WHAT WE DID:

- TAG hosted the third annual Access to Justice Week, engaging with a diverse set of stakeholders to address issues at the forefront of the justice sector. With over 425 attendees across five events, topics of discussion included mental health, Indigenous language speakers, gaps in family law, innovation in the justice sector, and mentorship opportunities.
- TAG also released a new season of its Architects of Justice **podcast** that explores how people are finding new ways to improve access to justice. Episodes are accredited with Continuing Professional Development Professionalism Hours to further engage the legal profession.
- TAG supported the launch of **Justice pas-à-pas**, the French equivalent of the Steps to Justice website. This platform is a unique collaboration of justice sector organizations that presents plain language information and related next steps about common legal problems.
- TAG collaborated with and funded the work of various organizations committed to advancing access to justice, improving stakeholder engagement strategies and enhancing civic engagement.



Financial Statements

2018



Financial Statements

SUMMARY OF FINANCIAL PERFORMANCE

The Law Society is in a financially sound position. The organization has a strategy to address the recent Compensation Fund claims experience and is well placed for the future.

The Law Society's lawyer and paralegal General Funds, which account for the organization's program delivery and administrative activities, are reporting a combined excess of expenses over revenues related to operations for the year of \$118,000. This is in comparison to the 2018 budget which forecast expenses in excess of revenues of \$5.4M. The 2018 budget planned for the return of \$4.8 million of the lawyer General Fund Balance to licensees by mitigating fee increases and incorporated \$600,000 in funding from surplus investment income in the Errors & Omissions Insurance Fund. The 2018 budget also projected expenses to exceed revenues in the Paralegal General Fund by \$2.1 million with the planned use of the accumulated paralegal General Fund Balance to offset the difference. With revenues exceeding forecasted amounts and spending less than budget, the Law Society's cumulative General Fund balances are \$28 million, positioning the Law Society well for the future.

The Law Society's restricted funds are reporting a combined surplus of \$7.5 million in 2018 with the Lawyer Compensation Fund experiencing a surplus of \$8.5 million. In response to unusually high claims against the Lawyer Compensation Fund over recent years, a three year plan to refinance the Fund and restore its financial stability was implemented in 2018.

For more information, view the full **2018 Financial Statements**.



Board Membership

2018



Board Membership



BOARD MEMBERSHIP

Treasurer

Malcolm M. Mercer

Elected Benchers

Raj Anand, LSM
Peter Beach
Fred J. W. Bickford
Jack Braithwaite
Christopher D. Bredt
Robert J. Burd
John E. Callaghan
Paul M. Cooper
Dianne G. Corbiere
Cathy Corsetti
Janis P. Criger
Teresa Donnelly
Rebecca Durcan

Ross F. Earnshaw
Robert F. Evans, Q.C.
Julian N. Falconer
Rocco Galati
Avvy Yao-Yao Go, O.Ont.
Howard Goldblatt
Joseph Groia
Michelle Haigh
Carol Hartman
Jacqueline A. Horvat
David W. Howell
Brian Lawrie
Janet Leiper, C.S.

Jeffrey Lem
Michael M. Lerner
Marian Lippa
M. Virginia MacLean, Q.C.,
C.S., LSM
William C. McDowell
Susan T. McGrath
Isfahan Merali
Barbara J. Murchie
Gina Papageorgiou
Susan Richer
Jonathan M. Rosenthal
Raj Sharda

Andrew Spurgeon
Sidney H. Troister, LSM
Jerry B. Udell, C.S.
M. Anne Vespry
Tanya Walker
Peter C. Wardle
Heather L. Zordel



Board Membership

Appointed Benchers

Marion Boyd
Gisèle Chrétien
Suzanne Clément
Seymour Epstein, P.Eng.

Jan Richardson
Gerald Sheff
Baljit Sikand
Catherine Strosberg

Ex-Officio Benchers

The Hon. Caroline Mulroney, MPP
Bob Aaron
The Hon. Robert P. Armstrong, Q.C.
Larry Banack
Christopher Bentley
Michael J. Bryant
Paul Copeland, C.M., LSM
Abraham Feinstein, Q.C., LSM
The Hon. Lee K. Ferrier, Q.C.
Patrick Garret Furlong, Q.C., LSM
Gary Lloyd Gottlieb, Q.C.
The Hon. John D. Ground, Q.C.

Howard G. Hampton
Charles A. Harnick, Q.C., LSM
George D. Hunter
Vern Krishna, C.M., Q.C., FRSC, LSM
Ronald D. Manes
The Hon. R. Roy McMurtry, O.C., O.Ont., Q.C., LSM
W. A. Derry Millar, LSM
Daniel J. Murphy, Q.C.
Ross W. Murray, Q.C.
Alan W. Pope, Q.C.
Julian Porter, Q.C., LL.D.

Judith M. Potter
The Hon. Allan Rock, P.C., Q.C.
Heather Joy Ross
Clayton Ruby, C.M., LL.D.
Arthur R. A. Scace, C.M., Q.C.
The Hon. James M. Spence, Q.C., LL.D.
Norman W. Sterling, Q.C.
Harvey T. Strosberg, Q.C., LSM
Gerald A. Swaye, Q.C., C.S.
J. James Wardlaw, Q.C., LSM
Bradley H. Wright
David S. Young

Emeritus Treasurers

Thomas G. Conway, LL.D.
Janet E. Minor

Laurie H. Pawlitz, LL.D.
Paul B. Schabas

Emeritus Benchers

Constance Backhouse, C.M., O.Ont., LSM
John A. Campion
Alan D. Gold

Alan G. Silverstein, C.S.
Beth Symes, C.M., LSM

Honorary Benchers

His Royal Highness Prince Charles, The Prince of Wales



Board Membership

Convocation Committee Chairs

Howard Goldblatt, Access to Justice

Teresa Donnelly, Audit & Finance

Joseph Groia, Compensation Fund

Dianne Corbiere, Equity and Indigenous Affairs

John Callaghan, Government and Public Affairs

Jonathan Rosenthal, Litigation

Robert Burd, Paralegal Standing

Malcolm M. Mercer, Priority Planning

Peter Wardle, Professional Development & Competence

Jacqueline Horvat, Professional Regulation

Isfahan Merali, Tribunal

Membership – 2018

January 25 – Heather Louise Zordel was elected a bencher as a result of the vacancy created by the appointment of Sandra N. Nishikawa as a judge of the Superior Court of Justice of Ontario.

June 14 – Neil Finkelstein, LL.D., a life bencher, passed away.

June 28 – Malcolm M. Mercer was elected as Treasurer.

June 29 – The Honourable Caroline Mulroney, MPP, was appointed Attorney General of Ontario.

August 9 – Rebecca Durcan was elected a bencher as a result of the vacancy created by the election of the Treasurer.

September 16 – Roger D. Yachetti, Q.C., a life bencher, passed away.



Statistics

2018



STATISTICS

Membership

In 2018, the Law Society regulated more than 53,000 lawyers and more than 9,000 paralegals.

Of those, approximately 36,000 lawyers were practising law and 3,600 paralegals were providing legal services, as of December 31, 2018.

LAWYERS BY AGE AND GENDER

AGE RANGE	TOTAL	MALE	%-M	FEMALE	%-F
UNDER 30	3,822	1,654	3.1%	2,168	4.0%
30 – 39	14,378	6,728	12.5%	7,650	14.2%
40 – 49	11,864	5,801	10.8%	6,063	11.3%
50 – 65	14,808	8,984	16.7%	5,824	10.8%
OVER AGE 65	8,860	7,477	13.9%	1,383	2.6%
TOTAL	53,732	30,644	57.0%	23,088	43.0%

Notes:

- Data as of December 31, 2018.
- Percentage is based on total.
- Percentages may not add up to 100 due to rounding.
- These statistics do not include honorary members, lawyers appointed to judicial office and lawyers whose licences were suspended as of December 31, 2018.



PARALEGALS BY AGE AND GENDER

AGE RANGE	TOTAL	MALE	%-M	FEMALE	%-F
UNDER 30	2,386	510	5.7%	1,876	20.8%
30 – 39	2,421	662	7.3%	1,759	19.5%
40 – 49	1,656	639	7.1%	1,017	11.3%
50 – 65	2,078	1,026	11.4%	1,052	11.7%
OVER AGE 65	473	378	4.2%	95	1.1%
TOTAL	9,014	3,215	35.7%	5,799	64.3%

Notes:

- Data as of December 31, 2018.*
- Percentage is based on total.*
- Percentages may not add up to 100 due to rounding.*
- These statistics do not include honorary members, paralegals appointed to judicial office and paralegals whose licences were suspended as of December 31, 2018.*



Membership

LAWYERS BY TYPE OF EMPLOYMENT

TYPE OF EMPLOYMENT	TOTAL	MALE	%-M	FEMALE	%-F
SOLE PRACTITIONER	9,104	6,204	14.9%	2,900	7.0%
PARTNER	6,938	5,168	12.4%	1,770	4.3%
EMPLOYEE	1,393	721	1.7%	672	1.6%
ASSOCIATE	7,979	4,157	10.0%	3,822	9.2%
EDUCATION	558	231	0.6%	327	0.8%
GOVERNMENT	5,938	2,466	5.9%	3,472	8.3%
IN-HOUSE	5,391	2,632	6.3%	2,759	6.6%
LEGAL CLINIC	586	175	0.4%	411	1.0%
OTHER	3,689	1,840	4.4%	1,849	4.4%
TOTAL	41,576	23,594	56.7%	17,982	43.3%

- Data as of December 31, 2018.
- Percentage is based on total.
- Percentages may not add up to 100 due to rounding.
- These statistics do not include honorary members, lawyers who are not working or retired, lawyers appointed to judicial office and lawyers whose licences were suspended as of December 31, 2018.



PARALEGALS BY TYPE OF EMPLOYMENT

TYPE OF EMPLOYMENT	TOTAL	MALE	%-M	FEMALE	%-F
SOLE PRACTITIONER	1,662	1,016	14.5%	646	9.2%
PARTNER	176	109	1.6%	67	1.0%
EMPLOYEE	831	273	3.9%	558	8.0%
ASSOCIATE	212	94	1.3%	118	1.7%
EDUCATION	91	21	0.3%	70	1.0%
GOVERNMENT	653	179	2.6%	474	6.8%
IN-HOUSE	420	184	2.6%	236	3.4%
LEGAL CLINIC	113	13	0.2%	100	1.4%
OTHER	2,854	672	9.6%	2,182	31.1%
TOTAL	7,012	2,561	36.5%	4,451	63.5%

Notes:

- Data as of December 31, 2018.
- Percentage is based on total.
- Percentages may not add up to 100 due to rounding.
- These statistics do not include honorary members, paralegals who are not working or retired, paralegals appointed to judicial office and paralegals whose licences were suspended as of December 31, 2018.



GEOGRAPHICAL DISTRIBUTION OF LAWYERS

GEOGRAPHIC AREA	TOTAL	MALE	%-M	FEMALE	%-F
METROPOLITAN TORONTO	26,337	14,782	27.5%	11,555	21.5%
ONTARIO (EXCL. METRO TORONTO)	22,667	13,388	24.9%	9,279	17.3%
CANADA (EXCL. ONTARIO)	2,799	1,498	2.8%	1,301	2.4%
OUTSIDE CANADA	1,929	976	1.8%	953	1.8%
TOTAL	53,732	30,644	57.0%	23,088	43.0%

Notes:

- Data as of December 31, 2018.*
- Percentage is based on total.*
- Percentages may not add up to 100 due to rounding.*
- These statistics do not include honorary members, lawyers appointed to judicial office and lawyers whose licences were suspended as of December 31, 2018.*



GEOGRAPHICAL DISTRIBUTION OF PARALEGALS

GEOGRAPHIC AREA	TOTAL	MALE	%-M	FEMALE	%-F
METROPOLITAN TORONTO	3,354	1,171	13.0%	2,183	24.2%
ONTARIO (EXCL. METRO TORONTO)	5,504	1,994	22.1%	3,510	38.9%
CANADA (EXCL. ONTARIO)	121	31	0.3%	90	1.0%
OUTSIDE CANADA	35	19	0.2%	16	0.2%
TOTAL	9,014	3,215	35.7%	5,799	64.3%

Notes:

- Data as of December 31, 2018.*
- Percentage is based on total.*
- Percentages may not add up to 100 due to rounding.*
- These statistics do not include honorary members, paralegals appointed to judicial office and paralegals whose licences were suspended as of December 31, 2018.*



NUMBER OF LAWYERS AND PARALEGALS LICENSED IN 2018

LICENSEE TYPE	LICENCE YEAR	GENDER	NUMBER OF LICENSEES
LAWYER	2018	Female	1,306
		Male	1,083
TOTAL LAWYERS LICENSED IN 2018			2,389

LICENSEE TYPE	LICENCE YEAR	GENDER	NUMBER OF LICENSEES
PARALEGAL	2018	Female	672
		Male	259
TOTAL PARALEGALS LICENSED IN 2018			931



LAWYER AND PARALEGAL ENROLMENT IN LICENSING PROCESS

LAWYERS

Female	1,392	54.40%
Male	1,166	45.56%
*N/A	1	0.04%
Total	2,559	100.00%

PARALEGALS

Female	1,046	73.87%
Male	370	26.13%
*N/A	0	0%
Total	1,416	100.00%

* Does not self-identify as either male or female.

LAWYER AND PARALEGAL ENROLMENT IN LICENSING PROCESS BY EQUITY SEEKING GROUPS IN 2018 *

LAWYERS

Racialized Community	587	22.94%
Francophone	147	5.74%
Indigenous	40	1.56%

PARALEGALS

Racialized Community	248	17.51%
Francophone	36	2.54%
Indigenous	24	1.69%

* Data obtained from applications for the licensing process in which applicants voluntarily self-identified.



COMPLAINTS

The number of new complaints received in Professional Regulation continued to decrease in 2018. The total number of new complaints received in 2018 (4,200) was 11% lower than the total number received in 2017 (4,737).

COMPLAINTS RECEIVED

In 2018, our Complaints & Compliance Department received 5,582 new complaints and re-opened 97, for a total of 5,679 complaints.

Of those, 4,200 complaints were referred to our Professional Regulation Division as follows:

SUBJECTS OF THE COMPLAINTS	
LAWYERS	79%
PARALEGALS	13%
NON-LICENSEES AND LAWYER AND PARALEGAL APPLICANTS	8%

COMPLAINANTS	
MEMBERS OF THE PUBLIC	71%
LICENSEES	13%
INTERNALLY RAISED (I.E., THE COMPLAINANT IS THE LAW SOCIETY)	16%



NATURE OF COMPLAINTS RECEIVED IN PROFESSIONAL REGULATION

The nature of complaints received in the Professional Regulation Division in 2018 was similar to the nature of complaints received in the past few years:

TYPES OF ALLEGATIONS RAISED IN COMPLAINTS RECEIVED

ISSUE TYPE	% OF COMPLAINTS RECEIVED IN PROFESSIONAL REGULATION
Service Issues (examples: fail to account, fail to communicate, fail to serve client)	47%
Integrity Issues (examples: civility, counselling/behaving dishonourably)	44%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	19%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	13%
Special Applications (examples: capacity, good character)	8%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	7%

Figures total more than 100% because some complaints raise more than one issue.



Regulation

AREA OF LAW IDENTIFIED IN THE COMPLAINTS RECEIVED

AREA OF LAW	2018	2017	2016
Civil Litigation	27%	28%	29%
Family	16%	14%	18%
Real Estate	16%	22%	18%
Criminal	12%	10%	11%
Administrative / Immigration	15%	10%	10%
Estates	6%	6%	9%



INVESTIGATIONS

In 2018, Professional Regulation continued to pursue its goal of more robust triaging and increased resolution of complaints earlier in the process, without the necessity of full investigations instructed under section 49.3(2) of the *Law Society Act*. These efforts allow investigation staff to focus on and address those matters which represent higher risk to the public and the professions.

Of the complaints that were instructed for investigation:

- 85% of the instructions were for a conduct investigation.
- 4% of instructions were for a capacity investigation.
- 7% of instructions were for an investigation into unauthorized practice.
- 4% of instructions were for a good character investigation.

There was no appreciable difference in the reason for the completion of investigations in the past three years.

REASONS COMPLAINTS WERE COMPLETED IN 2018, FOLLOWING AN INVESTIGATION

REASON	%
Closed with Diversion*	2.8%
Closed with Staff Caution or Best Practice Advice	23.0%
Closed as Resolved	0.4%
Closed as No / Insufficient Evidence to Warrant Further Regulatory Action	25.8%
Other Staff Closings**	27.5%
Transferred for Prosecution	20.6%

* *Regulatory Meeting, Invitation to Attend, Letter of Advice, practice / spot audit recommendation, undertaking.*

** *Includes discontinued complaints and complaints outside the jurisdiction of the Law Society.*



COMPLAINTS RESOLUTION COMMISSIONER

When the Law Society closes a case after an investigation, the complainant may request a review of that decision by the Complaints Resolution Commissioner.

- The per cent of cases closed in Professional Regulation following an investigation for which a review by the Commissioner was requested remains low at 6.5%.
- Of the 173 decisions rendered following a review by the Commissioner in 2018, only seven files (4%) were referred back to Professional Regulation for further investigation. Of those seven files, the Commissioner was not satisfied that the decision to close was reasonable in five files. (The other two files were referred back with a recommendation to investigate another licensee.)
- With respect to the seven files, the Executive Director of Professional Regulation adopted the Commissioner's recommendation in five cases, and declined to adopt the Commissioner's recommendation in one case. A decision with respect to the recommendation in one case (received late in December) remained outstanding at the end of the year.

DISCIPLINE

In 2018, 232 complaints/cases involving 155 licensees/applicants were transferred into Litigation Services - Discipline ("Discipline") for prosecution. The number of licensee/applicant matters transferred into Discipline in 2018 is approximately the same as in previous years.

At the end of 2018, Discipline had:

- 114 matters before the Hearing Division.
- 26 matters before the Law Society Tribunal - Appeal Division or the Courts.

NOTICES ISSUED BY THE DISCIPLINE DEPARTMENT IN 2018

NOTICES ISSUED	2018	2017	2016
Notices of Application (conduct & capacity)	103	116	127
Notices of Referral for Hearing (licensing [good character], reinstatement, terms dispute, restitution)	13	23	16
Notices of Motion for Interlocutory Suspension / Restriction	16	21	25
TOTAL	132	160	168



TYPES OF ALLEGATIONS RAISED IN THE NOTICES ISSUED IN 2018

ISSUE TYPE	% OF NOTICES ISSUED IN 2018
Service Issues (examples: fail to account, fail to communicate, fail to serve client)	31%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	43%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	44%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	32%
Special Applications (examples: capacity, good character)	18%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	7%

Figures total more than 100% because some complaints/cases raise more than one issue.



FINAL ORDERS RENDERED BY THE HEARING DIVISION, BY YEAR

139 matters were completed before the Law Society Tribunal - Hearing Division in 2018.¹

MATTERS DISPOSED OF BY THE HEARING DIVISION		LAWYERS			PARALEGALS		
		2018	2017	2016	2018	2017	2016
Conduct	Total	74	89	94	32	33	21
	Reprimand	15	22	18	7	3	0
	Suspension	35	42	39	20	23	16
	Permission to Surrender	8	4	9	0	2	1
	Revocation	13	10	9	3	4	2
	Fine	0	1	0	0	0	0
	Costs Only	0	0	1	0	0	0
	Dismissed/ Stayed	2	6	5	0	0	2
	Withdrawn/ Abandoned	1	4	13	2	1	0
Interlocutory Suspension/ Restriction		12	20	27	3	6	3
Capacity		1	3	5	0	2	0
Non-Compliance		0	0	1	0	0	0



STATISTICS

Regulation

MATTERS DISPOSED OF BY THE HEARING DIVISION	LAWYERS			PARALEGALS		
	2018	2017	2016	2018	2017	2016
Reinstatement/Terms Dispute	4	2	2	0	1	1
Licensing (including readmission)	5	3	4	8	5	7
Totals	96	117	96	43	47	32
2018	139					
2017	164					
2016	152					

¹ "completed matter in the Hearing Division" for Professional Regulation is defined as one in which the Law Society Tribunal - Hearing Division has rendered a final order.

APPEALS AND APPLICATIONS FOR JUDICIAL REVIEWS IN 2018

	LAW SOCIETY TRIBUNAL – APPEAL DIVISION	DIVISIONAL COURT	COURT OF APPEAL FOR ONTARIO	SUPREME COURT OF CANADA
Matters commenced	18 appeals	7 appeals; 1 judicial review	None	None
Matters completed	15 appeals	4 appeals; 2 judicial reviews	1 appeal	1 appeal
Matters active as at December 31, 2018	18 appeals	7 appeals; 1 judicial review	None	None



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